



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO.605 OF 2020
WITH CRIMINAL APPLICATION NO. 38 OF 2025

Amol s/o Madan Kaste
Age - 37 years, Occu - Labour / Agri.
R/o. Pachegaon, Tq. Georai, Dist. Beed Appellant

Versus

- 1] The State of Maharashtra
Through Police Station Georai,
Dist. Beed.
- 2] ABC
Age - 33 yrs., Occu: Household,
C/o Santosh Arvind Patil,
R/o Pachegaon, Tq. Georai,
Dist. Beed. Respondents

....
WITH
CRIMINAL APPEAL NO.630 OF 2020

Navnath S/o Baburao Jadhav
Age - 28 years, Occu. Service [Now in Jail]
R/o Vasantnagar Tanda, Pachegaon,
Tq. Gevrai, Dist. Beed. ... Appellants

Versus

- 1] The State of Maharashtra
Through Police Inspector,
Georai Police Station, Tq. Georai, Dist. Beed.
- 2] ABC
Age - 33, Occu: Household,
C/o Santosh Arvind Patil
R/o - Pachegaon, Tq. Georai, Dist. Beed. ... Respondents

....
WITH
CRIMINAL APPEAL NO. 669 OF 2020
WITH CRIMINAL APPLICATION NO.37 OF 2025

Jija s/o Lalsing Rathod,
Age - 35 years, Occu: Driver,
R/o - Jairam Tanda, Pachegaon,
Tq. Georai, Dist. Beed.

... Appellant

Versus

1] The State of Maharashtra

2] ABC

Age - 33, Occu: Household,
C/o Santosh Arvind Patil

R/o - Pachegaon, Tq. Georai, Dist. Beed. ... Respondents

....
WITH

CRIMINAL APPEAL NO.671 OF 2020

Kundlik S/o Bansi Rathod,
Age - 29 years, Occu - Education,
R/o - Kharadi @ Aurangpur Tanda,
Now Nipani Jawalka Tq. Georai, Dist. Beed.
[At present the Appellant is in
Beed Dist. Prison, Division - 2,
Beed, Tq. & Dist. Beed]

... Appellant

Versus

1] The State of Maharashtra

Through the Police Station Officer,
Georai Police Station
Tq. Georai, Dist. Beed.

2] ABC

Age - 33, Occu: Housewife,
C/o Santosh Arvind Patil
R/o - Pachegaon, Tq. Georai,
Dist. Beed.

... Respondents

Appearance :-

Mr. Sudarshan J. Salunke, Advocate for the Appellants in
Criminal Appeal No.605/2020 and Criminal Appeal
No.669/2020

Mr. Pralhad C. Bagure holding for Mr. Vinod N. Rathod,

Advocate for Appellant in Criminal Appeal No.630/2020

Mr. Sandip P. Rathod, Advocate for Appellant in Criminal Appeal No.671/2020

Mrs. S. N. Deshmukh, APP for the Respondents – State in All Appeals

Mr. Mahesh S. Bhosle, Advocate for Respondent No.2 in All Appeals

**CORAM : R. G. AVACHAT &
NEERAJ P. DHOTE, JJ.**

**Reserved On : 05/02/2025
Pronounced On : 21/02/2025**

OPERATIVE ORDER [PER NEERAJ P. DHOTE, J.]

. For the reasons to be recorded separately, the following order is passed :

ORDER

- [I] The Appeals are allowed.
- [II] The conviction and sentence awarded by the learned Trial Court against the Appellants for the offence punishable under Sections 376[D], 366 read with Section 34, 458 read with Section 34, 324 read with Section 34, 394 and Section 506 read with Section 34 of I.P.C., is quashed and set aside.
- [III] The Appellants are acquitted for the offence punishable under Sections 376[D], 366 read with Section 34, 458 read with Section 34, 324 read with Section 34, 394 and Section 506 read with Section 34 of I.P.C.
- [IV] The Appellant - Navnath Baburao Jadhav is on bail. His Bail Bond stands cancelled and he is set at liberty.

- [V] The Appellants - Jija Lalsing Rathod, Amol Madan Kaste and Kundlik Bansi Rathod are behind bars. They be released forthwith, if not required in any other offence.
- [VI] The fine amount, if paid by the Appellants pursuant to the Judgment and Order of learned Trial Court, be refunded to them.
- [VII] The Record and Proceedings be sent back to the learned Trial Court.
- [VIII] In view of the disposal of Appeals, the Criminal Applications are also disposed of.

[NEERAJ P. DHOTE, J.]

[R. G. AVACHAT, J.]

Sameer